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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,696	11/09/2001	Yasuyuki Inoue	6920/OK024	7564
7590	08/09/2005		EXAMINER	
DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022			TRIMMINGS, JOHN P	
			ART UNIT	PAPER NUMBER
			2133	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/037,696	INOUE, YASUYUKI
	Examiner	Art Unit
	John P. Trimmings	2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 June 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 August 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

This office action is in response to the applicant's RCE and amendment dated 6/21/2005.

The applicant canceled claim 6.

Claims 1-5 were amended.

Claims 1-5 are pending in this office action.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/21/2005 has been entered.

***Response to Amendment***

2. In view of the applicant's amendments to Claims 1-5, the examiner withdraws the rejections under 35 USC 112 second paragraph, and also to the objections to said claims. The examiner notes however that the subject claims stand newly rejected and objected in the below paragraphs.

3. In view of the cancellation of Claim 6, the examiner withdraws the rejections of said claim under 35 USC 112 first and second paragraphs, as well as the objection, as being moot.

***Response to Arguments***

4. Applicant's arguments filed 6/21/2005 have been fully considered but they are not persuasive. See examiner's response below:

**Claim 1:**

The applicant argues that the input data generating unit presets the data log system with both write termination and write extension conditions, but the examiner disagrees. There is no support for this feature in written form within the Disclosure. To the contrary, the operator sets these conditions manually (see page 13 of the application). Therefore, the examiner maintains the rejection of Claim 1 as originally stated in the examiner's first office action based on the admitted prior art (for termination) and Le (extension, counter 43). (The examiner also rejects said Claim 1 anew in the 35 USC 112 rejections below).

**Claim 2:**

The applicant has not presented an argument, thus the rejection is maintained.

**Claim 3:**

The applicant has included matter in the argument for Claim 3 stating that there is more than one test device featured in the operation of the device, but the examiner

disagrees. There is no support in the Disclosure for such a feature, and therefore the examiner, as having read the claim in view of the disclosure, maintains the rejection.

Claim 4:

The applicant has included matter in the argument for Claim 4 stating that there is more than one test device featured in the operation of the device, but the examiner disagrees. There is no support in the Disclosure for such a feature, and therefore the examiner, as having read the claim in view of the disclosure, maintains the rejection.

The examiner also rejects the claim anew in the 35 USC 112 rejections below.

Claim 5:

The applicant has included matter in the argument for Claim 5 stating that there is more than one test device featured in the operation of the device, but the examiner disagrees. There is no support in the Disclosure for such a feature, and therefore the examiner, as having read the claim in view of the disclosure, maintains the rejection.

In view of the above, the examiner summarizes that all claims, 1-5, stand rejected under 35 USC 103 as stated previously in the examiner's first office action.

***Claim Objections (New)***

5. Claims 1-5 are objected to because of the following informalities:

As per Claim 1:

The examiner requests that the following corrections be made in order that the claim clearly sets forth the limitations:

Line 14: "associated data for [a] the test semiconductor device ...".

Line 15: "said [measurement] expected data, ...".

Line 17: "... said data log system ...".

Line 19: "of [a] the test semiconductor device is a failure or when all test results of [the] a function test of [a] the".

Line 21: "... writing into the [data] log memory".

Line 23: "... have been completed, or when ...".

As per Claim 2:

The examiner requests that the following corrections be made in order that the claim clearly sets forth the limitations:

Line 2: "... to write said associated data".

Line 3: "into the [data] log memory ...".

As per Claim 3:

The examiner requests that the following correction be made in order that the claim clearly sets forth the limitations:

Line 4: "whether [a] the test semiconductor device is ...".

As per Claim 4:

The examiner requests that the following correction be made in order that the claim clearly sets forth the limitations:

Line 4: "... of [a] the test semiconductor".

As per Claim 5:

The examiner requests that the following correction be made in order that the claim clearly sets forth the limitations:

Line 4: "... and writes in time sequence ...".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112 (New)***

6. Claims 1 and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

As per Claim 1:

The Disclosure fails to teach or suggest that the input data generating unit presets the data log system with both the write termination and write extension conditions.

As per Claim 4:

The Disclosure fails to teach or suggest that the test apparatus provides control for more than one test semiconductor device during operation of the test as is alleged in the claim.

***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Trimmings whose telephone number is (571) 272-3830. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

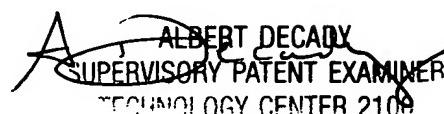
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John P. Trimmings  
Examiner  
Art Unit 2133

jpt



ALBERT DECADY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100